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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/699,616

10/30/2003

Gregoire Jaunin

MS1-1653US

9965

22801 7590 05/13/2008
LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER

SAINT CYR, JEAN D

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

05/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/699,616	Applicant(s) JAUNIN ET AL.	
	Examiner JEAN D. SAINT CYR	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25,32-39,41 and 42 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25,32-39,41 and 42 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-25, 32-39, 41-42, filed 10/31/2003, are presented for examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Annex IV, reads as follows:

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data.

When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (claim to data structure stored on a computer readable medium that increases computer efficiency held statutory) and *Warmerdam*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim) with *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory).

In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claim(s) 32-34 is rejected under 35 U. S. C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claim 32-34 defines a data structure program embodying functional descriptive material. However, the claim does not define a computerreadable medium or memory and is thus non-statutory for that reason (i.e., "When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized" - Guidelines Annex

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4-8, 10-15, 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Satomi et al, US No.20040148327 .

Re claim1, Satomi et al disclose receiving a request at a content provider from a client over a network(Web server 105 receives an execution request from the Web client 101, 0033), wherein: the request includes a log session identifier(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037) and a first log ordering ID(see fig.7, related session information); and the content provider includes a plurality of content servers(a system comprising a plurality of servers connected to each other via a network, 0012); processing the request on one said content server to find a result(transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services. After that, if it is necessary to change data in the DB server 107, the AP server 106 updates the data, and then transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 0033; that means the request was processed); incrementing the first log ordering ID to generate a second log ordering ID(see fig.2, related log information is integrated); storing a log entry in a log on the one said content server (session information included

in log information held by each server is recorded in a session-information management table,0012) that includes: the log session ID(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037); and the first log ordering ID or the second log ordering ID (see fig.7, related session information)and

generating a response at the content provider for communicating to the client over the network(the AP server 106 updates the data, and then transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML, Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 0033), wherein the response includes:

the second log ordering ID (related log information is integrated; that means it was updated);

; and

the result of the processed request(transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 0033).

Re claim 2, Satomi et al disclose , further comprising:

receiving an additional request at the content provider from the client(Web server 105 receives an execution request from the Web client 101, 0033), wherein the additional request includes the log session ID(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037) and the second log ordering ID(see fig.7, related session information);

processing the additional request on another said content server to find an additional result(transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the

services. After that, if it is necessary to change data in the DB server 107, the AP server 106 updates the data, and then transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 003);

incrementing the second log ordering ID to generate a third log ordering ID(see fig.2, related log information is integrated; that means updating); and

storing a log entry in a log on the another said content server(session information included in log information held by each server is recorded in a session-information management table,0012) that includes: the log session ID(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037); and the second log ordering ID or the third log ordering ID(see fig.7, related session information); and

generating an additional response for communicating over the network to the client(the AP server 106 updates the data, and then transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 0033), wherein the additional response includes: the third log ordering ID(related log information is integrated; the relation of the session information is estimated from the order of the recording date and time of log information, 0070; that means updating the related info log); and the additional result of the processed additional request(transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 0033).

Re claim 4, Satomi et al disclose , further comprising: initiating the log session; and generating the log session ID(a cookie, which is an identifier used to identify each

Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037).

Re claim 5, Satomi et al disclose wherein the log entry(see fig.2, log entry) further comprises data that describes the processing of the request(series of execution steps realized by the functions of these servers, the Web server 105 receives an execution request from the Web client 101, and then transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services., 0033).

Re claim 6, Satomi et al disclose wherein the request is selected from the group consisting of:

an order for a good or service that is available for purchase; and

an order for content that is available for broadcast by the content provider(the system provides services by use of three kinds of servers, 0031).

Re claim 7, Satomi et al disclose One or more computer-readable media comprising computer-executable instructions that, when executed, perform the method as recited in claim 1(It is also possible to store a program for executing the method of the present invention described above in a storage medium that can be read by a computer, and then to load this program into a memory to execute it,0075).

Re claim 8, Satomi et al disclose a content provider comprising a plurality of content servers(a system comprising a plurality of servers connected to each other via a network, 0012), wherein each said content server includes a processor (units of processing , 0040) and memory (a storage medium that can be read by a computer, and then to load this program into a memory to execute I, 0075)configured to maintain: an application that is executable on the processor to process a request from a client; and a log for storing one or more log entries(a log entry 301, which is a unit of

recording, is added to the log information 209 in order of time recorded, 0036), wherein each said log entry has:

a log session identifier(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037) that references a log session that includes the request;

data that describes an action performed in the processing of the request(transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services. After that, if it is necessary to change data in the DB server 107, the AP server 106 updates the data, and then transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 0033);

and a log ordering ID representing the sequence in which each said log entry was stored in the log by the content server(see fig.7, related session information).

Re claim 10, Satomi et al disclose, further comprising a log server to initiate the log session that includes the request from the client; and generate the log session ID that references the log session(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037).

Re claim 11, Satomi et al disclose , wherein the data describes an aspect of the action that is performed in the processing of the request that is selected from the group consisting of: data that had been included in the request; a time at which the request was received by the application; a description of the application; an amount of time taken to process the request; and data that was included in a response to the request(log recorded time information 303 indicating the date and time at which the log entry 301 is recorded, 0033).

Re claim 12, Satomi et al disclose wherein the log entry further comprises a client ID that identifies the client(an identifier used to identify each Web client, 0037).

Re claim 13, Satomi et al disclose wherein each said log entry is stored in the memory of the respective said content server that processed the request(a log entry 301, which is a unit of recording).

Re claim 14, Satomi et al disclose wherein the request is selected from the group consisting of: an order for a good or service that is available for purchase; and an order for content that is available for broadcast by execution of the application(the system provides services by use of three kinds of servers, 0031).

Re claim 15, Satomi et al disclose where the log ordering ID is unique for each said action that was performed in the processing of the request(see fig.2, transID; that means each action has its own ID).

Re claim 22, Satomi et al disclose a processor(units of processing , 0040); and memory configured to maintain one or more applications that are executable on the processor (a storage medium that can be read by a computer, and then to load this program into a memory to execute , 0075)to: process a request from a client(transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services. After that, if it is necessary to change data in the DB server 107, the AP server 106 updates the data, and then transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by

the Web client 101, and then sends it back to the Web client 101, 0033; that means the request was processed); increment a log ordering identifier (see fig.2, related log information is integrated); store a log entry(session information included in log information held by each server is recorded in a session-information management table,0012) that has:

a log session ID that references a log session the includes the request(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037);

data that describes the processing of the request(transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services. After that, if it is necessary to change data in the DB server 107, the AP server 106 updates the data, and then transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 0033); and

the log ordering ID or the incremented log ordering ID(see fig.7, related session information); and form a response for communication to the client, wherein the response includes a result of the processing and the incremented log ordering ID(transmits the result of the execution to the Web server 105. The Web server 105 converts the result of the execution into a HTML ,Hyper Text Markup Language, format that can be interpreted by the Web client 101, and then sends it back to the Web client 101, 0033)

Re claim 23, Satomi et al disclose wherein the data describes an aspect of an action that is performed to process the request that is selected from the group consisting of: data that had been included in the request; a time at which the request was received by the one or more applications; a description of the one or more applications; an amount of time taken to process the request by the one or more applications; and data that was included in a response to the request(log recorded time

information 303 indicating the date and time at which the log entry 301 is recorded, 0033).

Re claim 24, Satomi et al disclose wherein the log entry further comprises a client ID that identifies the client that provided the request(an identifier used to identify each Web client, 0037).

Re claim 25, Satomi et al disclose the log ordering ID represents the sequence in which a first action is performed to process the request with respect to a second action that is performed to process the request(series of execution steps realized by the functions of these servers, the Web server 105 receives an execution request from the Web client 101, and then transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services., 0033).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 9, 16-21, 32-39, 42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi et al in view of John et al, US No. 20040088412.

Re claim 3, Satomi did not explicitly disclose further comprising:
receiving the request by a load balancer included in the content provider; and
forwarding the request for delivery to the one said content server.

In an analogous art, John et al disclose receiving the request by a load balancer included in the content provider; and forwarding the request for delivery to the one said content server(FIG. 2 depicts servers 80 and 82 operating together as a cluster, receiving requests from load balancer 79, 0006).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce load balancer into the system of Satomi, as taught by John, for the benefit of making the system more efficient in searching for content).

Re claim 9, Satomi et al did not disclose , further comprising a load balancer that: is communicatively coupled to the plurality of content servers; and provides load balancing for the plurality of content servers for the processing of the request from the client.

In an analogous art, John et al disclose further comprising a load balancer(see fig.2, load balancer) that: is communicatively coupled to the plurality of content servers; and provides load balancing for the plurality of content servers for the processing of the request from the client(FIG. 2 depicts servers 80 and 82 operating together as a cluster, receiving requests from load balancer 79, 0006).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce load balancer into the system of Satomi, as taught by John, for the benefit of making the system more efficient in searching for content.

Re claim 16, Satomi et al disclose wherein each said content server includes a processor(units of processing , 0040) and memory configured to maintain one or more applications that are executable on the processor(a storage medium that can be read by a computer, and then to load this program into a memory to execute I, 0075) to:
increment a log ordering identifier (see fig.2, related log information is integrated)

representing the sequence in which the one or more actions were performed by the plurality of content servers(a system comprising a plurality of servers connected to each other via a network, 0012); and
store a log entry(session information included in log information held by each server is recorded in a session-information management table,0012) that has:
a log session ID that references the log session((a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037); data that describes one said action; and the log ordering ID or the incremented log ordering ID(see fig.2, related log information is integrated; that means it was updated).

But Satomi et al did not disclose a load balancer(see fig.2, element 79, load balancer) that provides load balancing of one or more requests received during a log session from a client over a network; and
a plurality of content servers that are communicatively coupled to the load balancer process the one or more requests received from the load balancer by performing one or more actions(FIG. 2 depicts servers 80 and 82 operating together as a cluster, receiving requests from load balancer 79, 0006).

In an analogous art, John et al disclose a load balancer that provides load balancing of one or more requests received during a log session from a client over a network; and a plurality of content servers that are communicatively coupled to the load balancer process the one or more requests received from the load balancer by performing one or more actions.

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce load balancer into the system of Satomi, as taught by John, for the benefit of making the system more efficient in searching for content.

Re claim 17, Satomi et al disclose further comprising a log server to: initiate the log session with the client; and generate the log session ID that

references the log session(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037).

Re claim 18, Satomi et al disclose wherein the data describes an aspect of the one said action that is selected from the group consisting of: data that had been included in the one or more requests; a time at which the request was received by the one or more applications; a description of the one or more applications that processed the one or more requests; an amount of time taken to process the one or more requests; and data that was included in a response to the one or more requests(log recorded time information 303 indicating the date and time at which the log entry 301 is recorded, 0033).

Re claim 19, Satomi et al disclose wherein the log entry further comprises a client ID that identifies the client that provided the one or more requests(an identifier used to identify each Web client, 0037).

Re claim 20, Satomi et al disclose wherein the log entry is stored in the memory of the respective said content server that performed the one or more actions to process the request(a log entry 301, which is a unit of recording).

Re claim 21, Satomi et al disclose wherein the log ordering ID is unique for the one said action(see fig.2, transID; that means each action has its own).

Re claim 32, Satomi et al disclose a data structure comprising a log having a plurality of log entries(see fig.2. log entry), wherein

each said log entry includes:

data that describes an action that was performed to process a request from a

client(series of execution steps realized by the functions of these servers, the Web server 105 receives an execution request from the Web client 101, and then transmits contents of the execution request to the AP server 106. The AP server 106 extracts data required for the execution from the DB server 107, and executes the services., 0033), wherein: a log session identifier (ID) that references the log session(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037); and a log ordering ID representing the sequence in which the action was performed by the one said content server with respect to another said action that was performed by another said content server(see fig.7, related session information).

But Satomi et al did not explicitly disclose the request was forwarded to one of a plurality of content servers by a load balancer;
the action was performed by the one said content server during a log session; and the plurality of content servers employ load balancing.

In an analogous art, John et al disclose the request was forwarded to one of a plurality of content servers by a load balancer; the action was performed by the one said content server during a log session; and the plurality of content servers employ load balancing(FIG. 2 depicts servers 80 and 82 operating together as a cluster, receiving requests from load balancer 79, 0006).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce load balancer into the system of Satomi, as taught by John, for the benefit of making the system more efficient in searching for content.

Re claim 33, Satomi et al disclose wherein the log entry further comprises a client ID that identifies the client(an identifier used to identify each Web client, 0037).

Re claim 34, Satomi et al disclose wherein the log ordering ID is unique for the action(see fig.2, transID; that means each action has its own ID).

Re claim 35, Satomi et al disclose a network(see fig.1);
a client communicatively coupled to the network(see fig.1, web client), and including a processor(units of processing , 0040)and memory (a storage medium that can be read by a computer, and then to load this program into a memory to execute it, 0075) that is configured to maintain an interface application that is stored in the memory and is executable on the processor to communicate one or more requests over a network; and
a content provider(see fig.1, element 208, server) that is communicatively coupled to the client over the network, and including:
maintain a log having one or more log entries(see fig.2, log entry), wherein each said log entry has:
a log session identifier that references the log session(see fig.2, cookie1); data that describes the processing of one said request; and
a log ordering ID representing the sequence in which each said log entry was stored by the plurality of content servers(see fig.2, related log information);
wherein each said content server includes a processor(units of processing , 0040) and memory that is configured to maintain one or more applications that are executable on the processor to: process the one or more requests(a storage medium that can be read by a computer, and then to load this program into a memory to execute it, 0075).

Satomi et al did not disclose a load balancer that provides load balancing of the one or more requests received during a log session from the client over the network; and a plurality of content servers that are communicatively coupled to the load balancer.

In an analogous art, John et al disclose a load balancer(see fig.2, load balancer) that provides load balancing of the one or more requests received during a log session from the client over the network; and a plurality of content servers that are

communicatively coupled to the load balancer(client FIG. 2 depicts servers 80 and 82 operating together as a cluster, receiving requests from load balancer 79, 0006).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce load balancer into the system of Satomi, as taught by John, for the benefit of making the system more efficient in searching for content.

Re claim 36, Satomi et al disclose wherein the one or more requests are selected from the group consisting of: an order for a good or service that is available for purchase; and an order for content that is available for broadcast by the content provider(the system provides services by use of three kinds of servers, 0031).

Re claim 37, Satomi wherein the content provider further comprises a log server to: initiate the log session with the client; and generate the log session ID that references the log session(a cookie, which is an identifier used to identify each Web client 101 that has accessed the Web server 105, is equivalent to the session information 302, 0037).

Re claim 38, Satomi et al disclose wherein the data describes an action performed to process the one said request(see fig.7, data related information).

Re claim 39, Satomi et al disclose wherein each said log entry further comprises a client ID that identifies the client that communicated each said request((an identifier used to identify each Web client, 0037).

Re claim 42, Satomi et al disclose wherein each said log entry is stored in the memory of the respective said content server that processed each said request(a log entry 301, which is a unit of recording).

6. Claims 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satomi et al in view of John et al, US No. 20040088412 further in view of Alao Us. No. 20020147645.

Re claim 41, Satomi et al did not explicitly disclose, wherein the client is a set-top box.

In an analogous art, Alao et al disclose wherein the client is a set-top box(The order message is sent by the set-top box application to the content provider, 0108).

It would have been obvious for any person of ordinary skill in the art at that time the invention was to introduce set-top box into the system of Satomi in view of John, as taught by Alao, for the benefit of making the system more usable.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cook et al (US. 20040111419) disclose a method and an apparatus for adapting a search classifier based on user.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system,

Art Unit: 2623

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Jean Duclos Saintcyr

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2623